
Chapter 21.34 – Conversion or Demolition of Affordable Housing

Sections:

21.34.010	Purpose
21.34.020	Applicability
21.34.030	Exemptions
21.34.050	Replacement of Affordable Housing

21.34.010 – Purpose

The purpose of this chapter is to:

- A. Be consistent with and implement the provisions of the Mello Act (Government Code Section 65590); and
- B. Maintain the number of low- and moderate-income dwelling units within the Coastal Zone.

21.34.020 – Applicability

The provisions of this chapter shall apply to the conversion or demolition of existing residential dwelling units within the Coastal Zone occupied by persons or families of low or moderate income (“affordable units”), as defined in Health and Safety Code Section 50093, when either of the following occurs:

- A. The conversion or demolition of eleven (11) or more dwelling units located in two or more structures; or
- B. The conversion or demolition of three or more dwelling units located in one structure.

21.34.030 – Exemptions

The provisions of this chapter shall not apply to the following:

- A. **Demolition of a Public Nuisance.** The demolition of a residential structure that has been declared a public nuisance; or
- B. **Replacement with a Coastal-Dependent or Coastal-Related Use.** The conversion or demolition of a residential structure for purposes of a coastal-dependent or coastal-related use; or
- C. **Land Availability.** The conversion or demolition of a residential structure when there are less than fifty (50) acres, in aggregate, of privately owned, vacant land available for

residential use within the City's Coastal Zone or within three miles inland of the Coastal Zone.

21.34.050 – Replacement of Affordable Housing

- A. **One for One Replacement.** If the Director determines that the proposed conversion or demolition activities involve affordable dwelling units, replacement of the affordable dwelling units shall be provided on a one for one basis, unless the Director determines that replacement is not feasible.
- B. **Location of Replacement Units.** Replacement dwelling units shall be located on the site of the converted or demolished structure(s) or elsewhere within the Coastal Zone if feasible. If location on the site or elsewhere within the Coastal Zone is not feasible, the replacement units shall be located within three miles of the Coastal Zone.